Application/Control Number: 09/696,807

Art Unit: 2600

## CLMPTO 09/28/04 JW

## Amend Claims 15,

Claim 1 (original) A roby apparatus comprising:

punks; receiving unit for caseiving an input packet;

data longth detecting unit for detecting the data longth of the pucket received by the

concluing unit;

time interval detecting unit for detecting the communication time interval of the packet received by seld packet receiving unit; and

band setting wait for eathing the communication band of a channel for randing and the panket received by said profest receiving unit; based on the data length detected by said that langth detected by said that communication time interval detected by said that interval detected by said that interval detecting unit.

Claim 3 (original) The relay apparator according to obtain I, wherein said band satisfing unit calculates said communication band by dividing the total value of said data lengths for a predetermined number of packets by the total value of said communication time intervals for them.

Claim 3 (original) The ratey appearance according to claim 1, wherein mid hand withing unit colonists the communication band by contributions the total value of the data imagine for the producers are described by the total value of communication time intervals for them by a producers when of less than 1.

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Chaim 4 (detainst) The relay appearing according to claim 1, wherein a first project and a second punks corresponding to high and low service qualities respectively are mingled in the parties; received by said project receiving unit, and end band retiling unit acts the communication band based on the data length and the communication time interval corresponding to the first parties requiring a high entries quality.

Claim I (hrighest) The rolly apparatus according to claim 1, wherein a first packet fewling action requirement for real time and a second packet having less strict requirement for real time are mingled in the peckets received by said packet receiving unit, and said band setting unit sees the summantication found based on the data longth and the occumulatation time interval corresponding to the first packet.

Claim 6 (original) The raisy apparatus according to claim 4, wherein the first pucket is an IP perfect conforming with the real time to scrept protocol.

Cinim ? (original) The value upparatus according to claim 8, wherein said that length detecting unit detects the data length based on the total length contained in an IP breaks of the IP packet, and said these interval detecting unit detects the communication time interval based on a time stemp contained in a real time stemp protocol message of the IP parties.

Claim & (original) The roley appears associate to claim 4, further competing call engagedation unit for augmenting the first and record packets received by said protest receiving unit into the ATM cells.

Application/Control Number: 09/696,807 Art Unit: 2600

ATM owiput control unit for competing the ATM cells segmented by said cell regressiation with to an ATM connection as the channel, and

redich control unit for controlling said ATM output control unit to entput professibilly the ATM cells corresponding to the first pucket, when the ATM cells corresponding to the first and record packets are mingled and layer into said ATM output control unit.

Craim 9 (original) The relay approxima according to clothe 8, wherein eald ATM sermedian has a service embrgary set in GPR, and eald revised control unit has a carbinoper call rate copresponding to the ATM commercian set by each bend setting unit.

Claim 10 (priginal) The roley appearance mounting to claim 8, wherein and ATM controlled has a coverige managery set in VBE, and said review control unit only an average call rate corresponding to the ATM controlled by said band setting out:

Claim 11 (priginal) The roley apparents according to claim 8, wherein said band setting said (repetitively sets the communication band at pradotermined timizing, other the wirtual communication is set as the charges.

Claim (2 (original) The ratey apparatus according to claim 8, wherein said Stanfesting unit one the contribution hand, when a permanent virtual connection is set as the channel.

Cinim 13 (original) The relay apparatus according to cinim 8, wherein exid hard setting unit sets the communication band, when a switch type wirtual communication is set as the channel.

Claim 14 (toriginal) The roley apparatus eccerding to ciails 8, wherein said band sotting unit sets the accumulated in band when a call satup is made in accordance with an appearatual injur periods if that is higher than a hierarchy corresponding to the partiest, after the virtual occeptation is set as the charge).

Claim 16 (currently amended) A relay apparatus for use in a noticer's fire transmiring variable length data using a fixed langth packet, wherein the commenture of a first IP packet having a strict requirement for real time, and the commentum a appead IP packet having a less strict requirement for real time, and into start to apparentless hand, the commentum using a service enterpy topolds of annuing the minimum rate the communication hand being allocated total tength on a data isogile and a communication time interval corresponding to the first packet.